



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, FRIDAY, MAY 9, 2003

No. 69

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Once again, we are privileged to have our guest Chaplain, Rev. Charles V. Antonicelli, of St. Joseph's Catholic Church on Capitol Hill, lead us in prayer.

PRAYER

The guest Chaplain offered the following prayer:

Heavenly Father, we give You thanks this day. With the Psalmist we proclaim:

Praise the Lord, all you nations; glorify him all you peoples! For steadfast is his kindness toward us, and the fidelity of the Lord endures forever.

We ask Your continued blessing on us as we seek to do Your will. Protect those who risk their lives to keep us free, Lord, and keep us always grateful for their sacrifice.

Bless the women and men of this Senate. Enkindle in them Your Spirit of justice and compassion; of service and sacrifice; of love and understanding, so that they may be Your instruments of peace in our world.

We ask this in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. Under the previous order, the majority leader

is recognized to speak as in morning business.

SCHEDULE

Mr. FRIST. Mr. President, this morning the Senate will resume consideration of the energy bill. When we return to the energy bill, I will be offering the first amendment. That amendment will be the ethanol amendment that a number of Senators referred to during yesterday's session. This amendment will be offered on behalf of myself and Senator DASCHLE as a leadership amendment.

Today, Members are welcome to speak on that amendment or the energy bill in general. However, as I announced, there will be no rollcall votes during today's session.

On Monday, the Senate will begin consideration of the jobs/growth bill. The order allows for up to 2 hours of consideration during Monday's session, but there will be no rollcall votes on Monday as well.

I will have more to say on next week's schedule later today, but looking over that schedule this morning, at this juncture I do want to tell my colleagues it is going to be a very busy week that likely will go late Friday. Although I am not planning to go into Saturday, in looking at what we need to accomplish next week in terms of the jobs and growth package, in addressing, on Thursday, HIV/AIDS, and then during the week, on Friday or sometime during the week addressing the issue surrounding the debt limit—all three of those issues we need to complete next week. I do want to notify my colleagues, it is going to be a long week that will likely extend late into Friday.

At this time I have a statement on another subject. The subject is being introduced and talked about in terms of the backdrop of what we have seen occur in the last 5 months on the floor of the Senate in terms of the use of a

filibuster being used in an unprecedented way with regard to the nominations for judicial vacancies.

AMENDING SENATE RULES

Mr. FRIST. Mr. President, with some regret but determination, and along with 11 Senators, I submit today—let me read the list of Senators at this juncture who are cosponsors of this resolution, a resolution to amend the Senate rules. The cosponsors are: Senators MILLER, MCCONNELL, STEVENS, SANTORUM, KYL, HUTCHISON, ALLEN, LOTT, HATCH, CORNYN, and CHAMBLISS.

I submit a resolution to amend the Senate rules. At this point I will send the resolution to the desk. I ask it be referred to the appropriate committee.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

Mr. FRIST. Mr. President, this amendment will change the way the Senate concludes debate on Presidential nominees. No longer will it be necessary to overcome a 60-vote barrier before Senators can exercise their power to consent to a nomination.

Five months into the 108th Congress, we confront multiple filibusters of highly qualified and intellectually superior judicial nominees, filibusters that are unfair to the nominees, unfair to the President, and unfair to the majority of Senators—Senators who are ready to confirm them.

Of course, we all fully respect and honor the views of any Senator who differs from our own assessment on the quality of any particular nomination, and I think if he or she finds a particular nominee unfit for any reason, they should vote to reject. But by denying the right of an up-or-down vote on a nominee and choosing, rather, to filibuster, they deny the Senate and each Senator the right to vote at all.

The remedy is filibuster reform. Over time, many Democrats as well as many Republicans have proposed changes to

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5981